

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
October 27, 2014
4:00 P.M.

The Warrick County Commissioners met in regular session with Don Williams, President, Richard Reid, Vice President and Marlin Weisheit, Member.

President Don Williams called the meeting to order.

Auditor Secretary, Angie Leslie, recorded the minutes.

PLEDGE OF ALLEGIANCE

AREA PLAN COMMISSION

REQUEST FOR EXTENSION OF SURETY

Lexington Subdivision by Barrington Development Group ~ Street, Sidewalk and Drainage Construction ~ Has had eight years. Requesting a one year extension with no reduction from \$367,120.59 for streets, no reduction from \$70,705.11 for sidewalks and a no reduction from \$82,133.19 for drainage. The ordinance allows for a maximum time period of 7 years for street construction and 9 years for sidewalk construction; therefore they are also requesting a modification from the Subdivision Control Ordinance for the street construction. LOC expires 12/7/14.

Don Williams: We'll start with Area Plan Business, Sherry, if you want to take off with that.

Sherri Rector: Thank you. Our first and only item is Request for Extension of Surety, Lexington Subdivision by Barrington Development Group. It's for Streets, Sidewalk and Drainage Construction. They have had eight (8) years requesting a one (1) year extension with no reduction from three hundred sixty seven thousand one hundred twenty dollars and fifty nine cents (\$367,120.59) for Streets. No reduction from seventy thousand seven hundred and five dollars and eleven cents (\$70,705.11) for Sidewalks, no reduction from eighty two thousand one hundred thirty three dollars and nineteen cents (\$82,133.19) for Drainage. The ordinance allows for a maximum time period of seven (7) years for streets and nine (9) years for sidewalk construction. Therefore, he is also requesting a modification from the Subdivision Control Ordinance for the street construction. And Mr. Miller has submitted the letter stating this is due to the slowdown in the economy and it has impacted the sale of his lots within the subdivision. Mr. Howard has reviewed the dollar amounts.

Don Williams: Do you have anything to say, Mr. Miller?

Bruce Miller: Bruce Miller with Barrington Development Group. It's pretty well been explained.

Don Williams: Okay, Mr. Engineer, are the amounts correct?

Bobby Howard: Yes, the dollar amounts are sufficient.

Don Williams: Okay, any questions from the Board?

Marlin Weisheit: I have none.

Don Williams: I'll entertain a motion.

Rick Reid: I'll make a motion to extend the surety.

Marlin Weisheit: Second.

Don Williams: Okay, I want to make sure.

Marlin Weisheit: On all three (3)?

Don Williams: On all three (3), okay. We got a motion and a second to approve the Extension of Surety. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Bruce Miller: Thank you, Gentlemen.

Don Williams: Thank you, Mr. Miller, for coming in.

Marlin Weisheit: Thank you, Bruce.

Sherri Rector: Thank you.

APPROVAL OF MINUTES

September 8, 2014 @ 4:00p.m...Regular Session
September 15, 2014 @ 4:00p.m...Regular Session
September 18, 2014 @ 11:30a.m...Regular Session

Don Williams: Okay, the next item on the agenda, Gentlemen, is we have minutes, September 8th, September 15th and September 18th for approval. Have you all had a chance to look at them? If so I'll entertain a motion or if there are any changes to be made I'll entertain those also.

Marlin Weisheit: I'll make a motion to approve all three (3).

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0). Thank you.

ITEMS FOR DISCUSSION

EMS Monthly Report

Don Williams: Items for Discussion, EMS Report. Mr. Rauscher, come on up, Sir.

Pat Rauscher: Good afternoon.

Don Williams: Good afternoon.

Marlin Weisheit: Hi, Pat.

Pat Rauscher: Pat Rauscher with Warrick EMS. I've got the Financial and the Operation Report for September of 2014. Operational Report, we have four hundred (400) total ambulance runs, two hundred forty eighty (248) to the local hospitals, seventy six (76) refusals, thirty (30) hospital transfers, seventeen (17) others and twenty nine (29) private runs. All of our Customer Satisfaction Surveys were satisfactory and we had ninety nine percent (99%) success rate of our goal response times.

Don Williams: Okay, are there any questions?

Marlin Weisheit: I have none.

Rick Reid: None.

Don Williams: Okay, let's look at the financials.

Pat Rauscher: Okay, financial for the month ending 9-30-2014...the last couple of months I told you we've had some hiccups trying to get some of the collects to come in. We've been able to correct that and there's been a back payment so we are now...for the month we had thirty seven thousand seven hundred ninety six dollars (\$37,796.00) over budget to help with that correction. For the year that puts us at twenty two thousand four hundred ninety dollars (\$22,490.00) over budget for collections. For expenses we were sixteen thousand eight hundred fifteen dollars (\$16,815.00) under budget putting us for the year at one hundred thirty four thousand four hundred seventy six (\$134,476.00) under budget.

Don Williams: Are there any questions from the Board?

Rick Reid: No.

Marlin Weisheit: I have none.

Don Williams: Again, refresh my memory on the variance for the vehicle and equipment, maintenance and repair. Is that the new engine we put in the one?

Pat Rauscher: This month? No, we've had a couple of issues. We had a fuel injector go out in one that was a little over four thousand dollars (\$4,000.00) that and on top of all our monthly stuff has really popped up this last month so...

Don Williams: On one of the Ford's?

Pat Rauscher: One of the Ford's. And Tony just told me today we had another one that just went out as well, so...

Don Williams: At least you got money to pay for it so that's good. I don't have any other questions. Anybody else have anything they have...?

Marlin Weisheit: I have none.

Don Williams: Thank you very much, Mr. Rauscher. I appreciate it very much.

Pat Rauscher: Alright, thanks.

DEPARTMENTAL REPORTS

COUNTY TREASURER

Request Approval of Door Locks

Don Williams: Okay, we have Departmental Reports. You'll notice under item 'A', that's County Treasurer request for that is that it be tabled until our next meeting so I'll entertain a motion to table the Treasure's issue until the November 10th meeting.

Rick Reid: Motion to table.

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries.

COUNTY ADMINISTRATOR

Amend Employee Handbook to Include County Highway Department Work Schedule (tabled from 10/13/14)

Don Williams: Okay, County Administrator, you have the floor, Sir.

Roger Emmons: Thank you, Mr. President. The first item, Amend Employee Handbook regarding the County Highway Departments Work Schedule, it was tabled from the October 13th meeting. Todd and I met with Andrew Skinner, he happened to be here on...when was that...on the 24th?

Todd Glass: Friday (the 24th).

Roger Emmons: I gave Todd copies of all of the amendments the Board has made since the new employee handbook became effective on January 1st of last year. I think probably Todd needs more time to work on this and he's also suggested that his paralegal incorporate these amendments into their electronic version of the employee handbook that way we could distribute it and make it up-to-date. What I've been doing so far is just broadcasting those a day or two after the Commissioners have approved those to all employees so they've got them but to get it incorporated into one document would be a good thing. I don't know if there's a cost to that; I'd have to defer to Todd.

Don Williams: Do you know, Counselor, if there would be a cost?

Todd Glass: That would be outside of the monthly retainer contract but...

Don Williams: Yes or no, Sir?

Todd Glass: You would pay for that. (Laughter)

Roger Emmons: I figured that.

Todd Glass: For Don's purposes, you would pay for that but I think we need to talk to...maybe Roger and I talk some more about it because if there's anything else also that's wrong with the language or any parts of the handbook now would probably be the time to take a look at it and you just vote on all of them all at the same time.

Don Williams: Would this be a...as far as charges, since you said there would be a charge, would this be like a straight time type thing?

Todd Glass: Yeah, straight time but on the reduced hourly rate that we always charge the county. It's not a big project really and if Roger and I can think through if there's anything else that we've missed that we ought to consider or have the commissioners consider we can take the opportunity to think through that and so the size of the project Roger can control really by how far we dive into it.

Don Williams: Okay.

Roger Emmons: And we did discuss last Friday...we went through the handbook, page-by-page and certain items that I had marked, we went through the amendments and some other mistakes, maybe typo's, things like that that need to be corrected. So, I think he's got a good initial start on it but we can discuss it further.

Todd Glass: And so if the commissioners would just table that further we could get that started and get back to the commissioners pretty quick on it.

Don Williams: Okay, you don't need an okay to go ahead and start incorporating changes or anything like that from us? I know we don't...

Todd Glass: I would need the Commissioners approval for me to do the work.

Don Williams: Okay.

Marlin Weisheit: I'd like to see it cleaned up, I mean...

Roger Emmons: Yeah, his paralegal, Rebecca Corba, she's very capable, I know she's very efficient.

Don Williams: Okay, then I would entertain a motion.

Marlin Weisheit: I'd make a motion to go ahead...

Rick Reid: Second.

Marlin Weisheit: To have Roger and Todd work with that.

Don Williams: Okay, I have a motion by Commissioner Weisheit, a second by Commissioner Reid. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries.

Roger Emmons: Thank you.

Approval of Lease Agreement and Master Contract, Solid Waste Management District Pelzer Road Project

Roger Emmons: The next item is approval of Lease Agreement and Master Contract, Solid Waste Management District Pelzer Road Project. Attorney Gene Emmons is here to make a report on that and to answer any questions you may have and he may comment, I think there's been one revision...

Todd Glass: And Mr. Aigner is also here.

Roger Emmons: And Jordan Aigner with Renewable Resources, LLC. is also here.

Don Williams: I'll have Mr. Aigner introduce himself for the record if you would.

Jordan Aigner: Jordan Aigner with Renewable Resources.

Don Williams: Okay, do you have anything you'd like to say, Sir?

Jordan Aigner: I think the contract that was prepared, we went through several versions of it I suppose and I think your counsel did a really good job of it, it is a very complex contract and lease and I think we've settled in on something that's going to be a really good asset for the County.

Todd Glass: And Mr. President for the record this is the contract and lease that Mr. Emmons is advising the Board of Commissioners on as a result of the fact that I represent the Solid Waste Management District.

Don Williams: Right, I understand that. Okay, Mr. Emmons, you have the floor if you'd like to update us briefly, Roger and I sat in with you at the meeting the other day so...

Gene Emmons: Yes, thank you, Mr. President. As you know most of my work has been with you in reviewing the Lease Agreement and the Construction and Operations Agreement. And as of our last meeting last week we were very close to having a final version and I would present to you and the Commissioners today that with regard to the lease we have one last revision which is simply a renewal provision which allows the lease agreement to be renewed for twenty (20) years excessive terms provided six (6) months' notice is given before the expiration of the ninety nine (99) year initial term.

Don Williams: Mr. Emmons, You realize that your children and your children's children won't be there then.

Gene Emmons: That's true, but Warrick County will.

Don Williams: Warrick County will be.

Gene Emmons: And we have to think ahead, right?

Marlin Weisheit: That's right.

Don Williams: By then they'll beam that stuff up into space probably.

Gene Emmons: I hope so, I hope by that time we've got it all figured out.

Don Williams: We're talking one hundred twenty (120) years away. I'm not going to have a problem with a twenty (20) year extension after one hundred (100) years for sure. Anything else, Mr. Emmons?

Gene Emmons: Well, if there are no further comments or concerns from the commissioners I would recommend that this lease agreement and construction agreement be entered into.

Don Williams: I was amazed, it's a very good contract as far as everything so. Any questions from the Board to Mr. Emmons or Mr. Aigner either one?

Roger Emmons: Gene, have you got the legal descriptions? Do you need it?

Gene Emmons: Yes I did, I got them today I think, earlier this afternoon. And they have been attached to the new lease agreement.

Roger Emmons: Okay.

Todd Glass: I would mention that the District worked with Mr. Aigner and his Counsel and they revised the lease area at the District's request which was appreciated and the District intends to take the agreement up and approve it at its upcoming meeting.

Don Williams: Any other questions from the Board?

Marlin Weisheit: I have none.

Rick Reid: No.

Don Williams: Okay, I'll entertain a motion.

Marlin Weisheit: I'll make a motion to approve the lease.

Rick Reid: Second.

Don Williams: We have a motion and a second to approve this agreement. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Todd Glass: And we need a motion to enter into the contract also.

Marlin Weisheit: I'd make a motion...

Todd Glass: And the County is entering into both.

Gene Emmons: That is correct.

Marlin Weisheit: Yeah, I'll make that motion that we enter into the contract also.

Don Williams: Okay, do I have a second?

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Jordan Aigner: Alright, thank you guys very much, I appreciate it.

Marlin Weisheit: Thanks for your effort and working with us and Gene thank you for your help.

Gene Emmons: It's my pleasure.

Don Williams: I want you to send me an email in about one hundred twenty (120) years there will you?

Gene Emmons: You got it. (Laughter) I'll put a request deliver on that... Thank you.

Don Williams: Receipt requested. I'll have my grandkids kids do that for you.

Roger Emmons: Mr. President, do we need Mr. Emmons' attendance further?

Don Williams: We do not, thank you very much for coming, if you want to stay you're very welcome.

Gene Emmons: Sure, I'll stick around.

Don Williams: Okay, just make yourself at home down there.

Roger Emmons: Great! You can take me out for supper.

Rick Reid: He was waiting for a free lunch.

Todd Glass: Make sure your dad doesn't make any mistakes.

Don Williams: It might make our regular attorney nervous so you be good.

Gene Emmons: I'll try not to.

Liberty Mine LLC ~ Request for One (1) Year Extension to Road Usage Agreement on New Harmony Road

Don Williams: Okay, we have a request here, Roger, number three (3).

Roger Emmons: Yes, Request for a one (1) Year Extension to the Road Usage Agreement that Liberty Mine, LLC., parent companies of Vigo Coal, their manager of Land Acquisitions and Permits, Alex Messamore sent a letter October 17th via email and I would recommend that the Board approve a one (1) year extension which would make the new expiration date November 13th, 2015. Bobby, do you have any problems with that?

Bobby Howard: No, they've been very receptive to making repairs anytime we request it so I don't think there's an issue with extending it for a year.

Roger Emmons: And they do have it bonded, I think it's a Letter of Credit.

Don Williams: Anybody have any questions for Mr. Messamore?

Roger Emmons: Two hundred fifty two thousand dollar (\$252,000.00) bond they've got.

Marlin Weisheit: I have none. I'll make a motion to approve.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries.

Roger Emmons: Thank you.

Health Department ~ Agreements for Professional Services

Roger Emmons: We have some agreements for Professional Services that the Health Department has submitted. The Health Administrator, Aaron Franz, is here. Late this afternoon he also added a couple for Judy Titzer and Jennifer Eskew for basically nursing services and helping administer vaccinations and there's some other things listed in their scope of services. I discussed these in with Todd briefly before the meeting and one thing these need is the addendum regarding the employing aliens and investing activities in Iran, things like that. Is that not correct, Todd?

Todd Glass: Possibly. Non-discrimination language I want to look at also. It seems like a lot but unfortunately all county contracts have to have some of this language so all I would need to do is check them and make sure, if they don't we could add them as addendums.

Roger Emmons: Each one has a clause on, I think, anti-discrimination but I have copied Todd on the first three (3) that I received and I can also get you the two (2) after the meeting. If the Board wishes to approve these subject to that addendum being presented, I don't think our attorney would have a problem with that.

Todd Glass: If the addendum needs to be added to one (1) or all of the contracts it would be practically the same addendum.

Roger Emmons: Yeah, I think it would need to be added to all five (5).

Don Williams: Mr. Franz, we have the outline of what Mr. Topper, Mr. Alexander and Mr. VanWinkle, what is Ms. Eskew and Ms. Titzer going to be doing?

Aaron Franz: They're going to be assisting our nursing division with vaccinations due to the loss of our third nurse right now with some time off. For the two (2) current nurses, I just need someone to help cover.

Don Williams: These are both RN's or...?

Aaron Franz: Pardon me?

Don Williams: Are they RN's?

Aaron Franz: Yes, they are both RN's. That is the same contract basically we use for the H1N1 when we've had contracted employees then.

Don Williams: I'm not sure West Niles is our biggest concern anymore.

Aaron Franz: Not right now, these are just regular vaccinations now.

Roger Emmons: Regarding these nurses, Mr. President and Commissioners, the compensation is fifteen dollars (\$15.00) per hour.

Aaron Franz: Correct.

Roger Emmons: That's out of the Immunization Grant provided by the Indiana State Department of Health.

Aaron Franz: Well, that one is going to be out of that and out of a vacs care line item and pretty much wherever we can...money we already have.

Don Williams: Any questions from the Board?

Marlin Weisheit: I have none.

Don Williams: Okay, I entertain a motion.

Rick Reid: So moved.

Don Williams: Motion approved by Commissioner Reid, do I have a second?

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Roger Emmons: With the addendum?

Don Williams: With the addendum. To clarify the record that was a motion by Commissioner Reid and Commissioner Weisheit seconded it with addendum included. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries. Thank you, Gentlemen.

Roger Emmons: Thanks, Aaron.

Discuss Approval of Income Study for Lee Acres Subdivision

Roger Emmons: The next item is to discuss the approval of an Income Study for the Lee Acres Subdivision area. We had one of these several years ago but we found out from OCRA that it had expired. Debbie Bennett-Stearnsman has advised that we need to get a new one, a current one. It's in conjunction with a potential sewer study and the cost of the certification two hundred fifty dollars (\$250.00) plus postage.

Don Williams: Yeah, this has just expired I think around the 1st or the 14th of October.

Roger Emmons: Yeah, it wasn't too long ago.

Don Williams: And the reason for this you know Lee Acres comes up from time to time and my thought here I've broached this with Chandler's Attorney, just met him in the hall in the Judicial Center as we just walked by the other day and I said 'hey what about if'...and this is, we haven't done anything official, I said 'what about we do a joint grant request from OCRA by getting this study done we're looking at probably an eight hundred or nine hundred thousand dollar (\$800,000.00-\$900,000.00) sewer project. The OCRA grant would be roughly five hundred thousand (\$500,000.00) of that so I think it would be good to go ahead and study at two hundred fifty bucks (\$250.00) plus postage. That a way when that's lined up we can talk to Chandler and see about getting a grant and maybe a joint project, hopefully some cost sharing involved, don't know.

Todd Glass: Along those lines, Mr. President, we might want to consider having me speak with their Counsel because an interlocal might be a smart thing to do. Agreeing to jointly apply for this grant and anything following that yea or nay, depending on what happens.

Don Williams: I think once we get the income study back that would be appropriate.

Todd Glass: Okay.

Don Williams: That shouldn't take more than two (2) or three (3) weeks.

Todd Glass: Okay, I'll go ahead and talk with them about it ahead of time.

Don Williams: That will be fine, let them know our interest.

Roger Emmons: I think to be proactive the way the Commissioners are doing it we hope to avoid another Stonehaven and avoid an IDEM Agreed Order.

Don Williams: I say this once and I'll say it again since our Health Officer is in the back still, this will never be another Stonehaven.

Roger Emmons: I agree.

Don Williams: We'll never let it go that far and we know at most there's what, three (3) to five (5) houses effected as far as you know and we have to...

Roger Emmons: Not very many.

Don Williams: If we have to, as far as I'm concerned, we can condemn those houses if they won't fix their sewers so...

Roger Emmons: Thank you, Mr. President.

Don Williams: With that being said...

Marlin Weisheit: I'll make a motion that we approve to have the postage...approve the postage for the study.

Don Williams: Actually the study is two hundred fifty dollars (\$250.00) plus postage.

Marlin Weisheit: Okay.

Don Williams: So just approve the cost of having the study done would be good.

Marlin Weisheit: I'll approve that.

Don Williams: Okay, a motion by Commissioner Weisheit, let me make sure, your motion is to approve the study for...

Marlin Weisheit: Plus postage.

Rick Reid: Second.

Don Williams: Okay, plus postage. And I got a second by Commissioner Reid. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0). Thank you.

Request for FMLA

Roger Emmons: The last item I have, Gentlemen, is a Request for Leave under the Family Medical Leave Act. All of the required paperwork plus signatures have been submitted, I would recommend approval.

Marlin Weisheit: Motion to approve.

Rick Reid: Second.

Don Williams: Motion and a second to approve FMLA. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carried three (3), zero (0). Anything else?

Roger Emmons: That's all I have.

COUNTY AUDITOR

Claims

Don Williams: Chief Deputy Auditor, what can I do for you, Sir?

Allan James: Allan James, 1st Deputy in the Warrick County Auditor's Office, I have claims totaling two million one hundred seventy eight thousand six hundred fifty dollars and seventeen cents (\$2,178,650.17).

Don Williams: If there's no questions on the claims, I'll entertain a motion to pay the bills.

Rick Reid: Motion to pay the bills.

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

COUNTY PURCHASING

Declaration of Items as Surplus, w/Values ~ Discuss Sale of Items to Warrick County SWMD

Don Williams: County Purchasing, as you know that we have a new Solid Waste Center in Chandler and by the way we were all there, it's a beautiful facility, should last longer than any of us are alive and they have requested some surplus items and Mr. Grassman, if you've got your list it comes to one hundred forty five (\$145.00), so we'll get a check from them for that. It's stuff that was just sitting around and collecting dust.

Joe Grassman: Right.

Don Williams: Go ahead, Mr. Grassman.

Joe Grassman: I have a list of two (2) sets of items. The first set are things that were stored in the Judicial Center in the archive room that I'm requesting that you declare them surplus so that they can be sold to the Solid Waste Management Department for the total value of one hundred forty five dollars (\$145.00). Excluding the one (1) item which is the middle file cabinet which had already been declared surplus at an earlier meeting. The second group of items are basically all of the office panels, the Herman Miller office panels that we also had stored in the archive room of the judicial center but there are also in the old historic jail and I just made a list of all of them. And also there's the whole group of miscellaneous parts and accessories that go with those panels. The rods that connect them and the wiring harnesses, etc. So if you would if I would ask that you also declare those surplus just for the...I guess anticipating they can be sold or disposed of sometime down the road.

Don Williams: I don't have that list in front of me, can we just approve it by list two? You have list one and list two there?

Joe Grassman: Yes.

Don Williams: Okay, we don't need to name each item anyway.

Roger Emmons: There's twenty three (23) panels of various sizes it looks like, is that correct, Joe?

Don Williams: Yes, Sir.

Roger Emmons: Plus the hardware.

Don Williams: I think we probably could approve both items on list one and list two.

Marlin Weisheit: I'd make a motion that we declare items list one and list two surplus.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries. Now we need a motion to sell those items on list one, I mean the items on the list to the Solid Waste Management District.

Marlin Weisheit: For one hundred forty five dollars (\$145.00).

Don Williams: For one hundred forty five dollars (\$145.00).

Marlin Weisheit: I'll make that motion.

Rick Reid: Second.

Don Williams: Motion and a second to sell those surplus items to the Solid Waste Management District for one hundred forty five dollars (\$145.00) all in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion passes three (3), zero (0). Anything else, Mr. Grassman?

Joe Grassman: No, Sir.

Don Williams: Thank you very much, Sir. I appreciate your work.

COUNTY ATTORNEY

Private Sewer Line Agreement on County ROW, 6266 Magnolia Drive, Newburgh, Jon and Samantha Greif/Aigner Engineering

Don Williams: County Attorney, you're up, Sir.

Todd Glass: Yes, Mr. President, first off we have an agreement to place a private sewer line and I'll go ahead and introduce you to Ashley Hahn of Kahn Dees and Mr. Aigner Again. That's all? Just the two (2) of you?

Ashley Hahn: Yes, and Samatha is here as well.

Todd Glass: Oh, okay, anyway, Mr. President, this is Dr. John Greif and Samantha Greif at 6266 Magnolia Drive in Newburgh who have a new home construction I understand it and need a private sewer line now which would go up Magnolia Drive. So, the land owners are asking Warrick County permission to construct that private sewer line on county right-of-way and maintain it which the county has done before.

Don Williams: Yeah, we did that back with a house on Anderson, I don't know if Marlin was in yet when we did that or not...?

Todd Glass: 2010 perhaps?

Don Williams: Yeah, it's been about four (4) or five (5) years ago so this is not an unusual request and there will be no cost to the county I understand.

Ashley Hahn: No and we've inserted provisions in which the homeowners would be responsible, they're carrying a million dollars (\$1,000,000.00) in insurance on the line as well. And they'll be required for all maintenance...

Don Williams: And I understand they have a pump they'll be using that they'll be taking care of?

Ashley Hahn: Yes, and Jordan would be happy to answer any questions on the engineering.

Don Williams: Are you going to be the installation guy also?

Jordan Aigner: I don't know yet if I'm going to install it but I've done all of the engineering so...

Todd Glass: You'll see on the copies you have in front of you, the engineering drawing, I also added, it's not a part of the contract but for the Commissioners an aerial view hopefully is the last page of your copy that I am just providing to you for your benefit to see where this is at. And the yellow lot at the end of Magnolia I believe is the Greif's lot so you can see that but I've worked with Ashley and her firm to make the changes that the county would want to see in the agreement, so the agreement is ready for the commissioners consideration to approve.

Don Williams: It has your approval?

Todd Glass: Yes.

Ashley Hahn: And we've also worked with the Town of Newburgh and have received their approval as well.

Don Williams: Thank you very much. That's correct, in fact I think they voted approval on it.

Ashley Hahn: They have.

Todd Glass: Correct, in fact I think they voted approval on it...

Ashley: They have, yes.

Todd Glass: Late last week?

Ashley Hahn: They just have to sign the agreement.

Don Williams: Well, if Newburgh's happy just about everybody would have to be happy. I mean that in a good way. I have to say 'I mean that in a good way' because when you say something and people look at the minutes and say 'man that must have been a sarcastic remark' and it really wasn't.

Rick Reid: Do you want to strike that in the minutes?

Don Williams: I don't want to strike it, I just want to clarify it. If there are no questions...do either of the commissioners have a question?

Marlin Weisheit: I have no questions.

Rick Reid: I'll make a motion to approve the private sewer line improvement on 6266 Magnolia Drive.

Marlin Weisheit: Second.

Don Williams: I have a motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Ashley Hahn: Thank you.

Todd Glass: Thank you, Ashley. I'll go ahead and pass that down.

Marlin Weisheit: Just go ahead and sign it?

Todd Glass: Yes.

Don Williams: Does their attorney take it with her?

Ashley Hahn: We can, whatever will be easier.

Don Williams: If you do we can take a moment and sign it real quick, we don't normally...

Todd Glass: You know what, I'll take it, I'll have to figure out what Newburgh was doing with it and we can deliver it to Newburgh tomorrow or something.

Ashley Hahn: Okay.

Todd Glass: But I'll talk to you tomorrow one way or the other.

Ashley Hahn: Thank you.

Don Williams: Are there not two (2) signatures? This is a contract is it not?

Todd Glass: Just one signature page for the Commissioners.

Don Williams: One signature page? Okay.

Roger Emmons: And those have to be notarized.

Todd Glass: Correct. And it has a notary...on it for you, Roger.

Ashley Hahn: Thank you.

Todd Glass: Thank you.

Motion Approving Retiring Judges to be Eligible for Benistar Medicare Supplement Plan

Todd Glass: Secondly, Mr. President, I believe the Commissioners are aware as far as Judge Kelley's interest in being covered by the care supplement plan through Benistar. Roger has been trying his best to get an answer on that for the Judge and I think where we're at...

Roger Emmons: I may interject that Sharon Shoulders pointed out that Judge Campbell, former Superior Court Judge, he has been on this for a number of years by virtue of being an elected official this would be the same case for Judge Kelley.

Don Williams: But how long was Judge Campbell a Judge?

Roger Emmons: Oh...

Don Williams: Twenty (20)...?

Roger Emmons: As long as Judge Kelley probably.

Don Williams: Yeah, cause Judge Kelley was employed at the Prosecutor's Office for a long time also so he's got his time.

Roger Emmons: Yeah, he's got thirty seven (37) years, I think, total county time.

Todd Glass: Anyway, I'm not aware of any formal action the commissioners have to take, I just wanted to let the commissioners know that Roger primarily has been trying to track that answer down and I don't see any reason in what I've read that would prevent the Judge from being able to go on that plan.

Don Williams: I don't either.

Marlin Weisheit: Me neither.

Don Williams: Alright I appreciate...

Interlocal Agreement with Town of Elberfeld

Todd Glass: And thank you. I would like to mention to the commissioners that we have the Interlocal Agreement...

Roger Emmons: Do you want them to do a motion on that?

Don Williams: No, it's just FYI...

Roger Emmons: Okay.

Don Williams: I mean, it's, and he's been a county employee for sufficient time.

Todd Glass: Roger and I talked about whether or not we needed a motion for the commissioners to say they want him to go on the plan but I don't think...

Roger Emmons: I think Dave Waltz is confident that Benistar will approve it.

Todd Glass: Yeah, I don't see any particular need for...

Don Williams: If Benistar doesn't approve it then we'll have something to talk about I think. You've got an Interlocal Agreement...?

Todd Glass: Yeah, we've got the Agreement drafted, it's in the hands of legal counsel for the Town of Elberfeld and I haven't heard back from him yet.

Don Williams: We can go ahead and vote to approve that can we not?

Todd Glass: No, let's wait to see if he has any changes but it will certainly be ready for the next meeting.

Don Williams: Both of you know what this agreement in the Town of Elberfeld is about, basically putting a salt barn in there for winter road repairs. Help get things done up there a little more quickly.

Resolution for Posted Speed Limit on Treemont Drive, Newburgh

Don Williams: We have a resolution, Sir, on item four (4) on Treemont.

Todd Glass: Yes, at the request of Commissioner Reid I've prepared Resolution 2014- something.

Roger Emmons: 2014-09.

Todd Glass: 2014-09 for the establishment of a posted speed limit of twenty (20) miles per hour on Treemont Drive in Newburgh. I can't actually place that drive...

Rick Reid: Kingston.

Todd Glass: Kingston, yeah, off of Vann Road.

Rick Reid: It connects into Old Hickory and cars go through there awfully fast.

Don Williams: I'm parked there on Treemont probably at least once a week and I've never known any cars on that road.

Rick Reid: Dr. Fry lives...

Todd Glass: I don't believe there are any posted speed limits.

Bobby Howard: There's no current posted speed limits.

Don Williams: I don't have a problem with it, I'm just saying I've never seen a car doing down that road and I've over there at least once every other week sometimes once a week, sometimes twice a week but I'm okay with it.

Rick Reid: They do, they do.

Todd Glass: Anyway, I have drafted it so it's in front of you.

Don Williams: And just one person asked you that or is this a neighborhood?

Rick Reid: Several people did.

Don Williams: Several people, okay.

Marlin Weisheit: Are you going to make a motion or...?

Don Williams: Yeah, it's your deal.

Rick Reid: I'd like to motion that we have a posted speed limit sign of twenty (20) miles an hour on Treemont Drive.

Marlin Weisheit: Are we approving Resolution 2014-09?

Rick Reid: Yes.

Marlin Weisheit: I'll second that.

Don Williams: Okay, I have a motion to approve Resolution 2014-09 and a second to that same motion to post a twenty (20) mile per hour speed limit. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries. Now, I don't want you coming back in two (2) months and have a half a dozen other residents saying 'I want it to be thirty (30)'. That happens too sometimes. (Laughter)

Unknown Speaker: What is the posted speed limit?

Don Williams: There is no posted speed limit. At the current time it's just a residential area I think. It's supposed to be twenty (20) or so anyway, it's just...

Marlin Weisheit: Rick will be the first one to get a ticket, Sheriff.

Rick Reid: Yea... (Laughter)

Marlin Weisheit: That's usually the way it works isn't ain't it.

Todd Glass: The only other thing, Mr. President, a couple of months ago the Board agreed to enter into a software contract for the Treasurer's Office with the Government Utilities Technology Services and I just wanted you to know that Don and I have been working and I think we'll get our final signatures on those here this week. So, that has been finalized or is very soon to be finalized.

Don Williams: It was for three hundred bucks (\$300.00) a year, right?

Todd Glass: Correct. Nothing further.

Don Williams: Okay, thank you.

COUNTY ENGINEER

Indiana Department of Transportation ~ Local Public Agency Coordination Contract ~ Oak Grove Road Phase II

Don Williams: County Engineer, you have an issue for us.

Bobby Howard: Yes, I have one item, it's the Indiana Department of Transportation, Local Public Agency Project Coordination Contract for Oak Grove Road Phase II. Basically this is to ensure that we're able to get federal aid for this project. It's a mandatory requirement that we have this contract approved and the maximum amount of federal aid funds allocated to the project will be three million four hundred forty three thousand six hundred sixty eight dollars and ninety two cents (\$3,443,668.92) and I'd recommend approval.

Don Williams: This contract is with?

Bobby Howard: INDOT.

Marlin Weisheit: And this phase II goes from...

Don Williams: Libbert.

Marlin Weisheit: Libbert to...?

Bobby Howard: Just east of Bell Road.

Rick Reid: It's the first entrance into Old Hickory.

Bobby Howard: Yes, I think its Hickory View.

Rick Reid: Yeah, just past Hickory View.

Bobby Howard: Just past Hickory View.

Don Williams: What's the will of the Board?

Rick Reid: So moved.

Marlin Weisheit: Second.

Don Williams: Motion and a second to approve. All in favor say aye. Motion carries. Thank you, Gentlemen. Anything else, Mr. Engineer?

Bobby Howard: That is all I have, thank you.

COUNTY HIGHWAY

Don Williams: Do you have anything from Highway?

Bobby Howard: I will report today that we did start our brine making operations and making sure everything is worked alright for the machinery and the brine making machine that we built so hopefully we'll be able to start pre-treating our roads this year.

Don Williams: Are you going to use beet juice again this year?

Bobby Howard: Yes. Hopefully we won't need to do it.

Roger Emmons: Yeah, really, that would be best. No snow and ice.

Don Williams: How much more...have we got all of the chip and seal work done or is there still a little left?

Bobby Howard: We have one (1) roadway left and we hope to have it completed by this Thursday weather permitting.

Don Williams: Which one is that?

Bobby Howard: Crowville Road north of Shelton.

Don Williams: It's going to rain tomorrow, is that going to affect it?

Bobby Howard: We'll be able to hopefully start on Wednesday. We would have been doing it today but the rain tomorrow would hold us up from being about to seal it so we couldn't prime today.

Rick Reid: Are you doing Epworth Village? The resurfacing over there too this year?

Bobby Howard: That will be the paving job we've been working, coordinating that with the storm water department and going on their schedule, we're thinking it'll be around November 10th, ready for paving.

Marlin Weisheit: Metzger's will do that?

Bobby Howard: Yes.

Marlin Weisheit: They're batch plant will still be open through November?

Bobby Howard: Yes, they've got a few projects that...weather permitting they're going to keep it running so we're going to get these done.

Marlin Weisheit: Good, good.

COUNTY SHERIFF

Don Williams: Sheriff, do you have anything, Sir?

Sheriff Kruse: Nothing.

COMMISSIONERS ITEMS FOR DISCUSSION

Commissioner Williams: Commissioner Reid do you have anything?

Commissioner Reid: No.

Commissioner Williams: Commissioner Weisheit do you have anything?

Commissioner Weisheit: No, Sir.

Commissioner Williams: I'll entertain a motion.

Commissioner Reid: So moved. Motion to adjourn.

Commissioner Weisheit: Second.

Commissioner Williams: Have a motion and a second we are adjourned. Thank you.

DON WILLIAMS, PRESIDENT

RICHARD A. REID, VICE PRESIDENT

MARLIN WEISHEIT, MEMBER

ATTEST:

L.B. DUGAN, AUDITOR
WARRICK COUNTY, INDIANA